

**Enrolled Minutes of the Eighty-Ninth Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, July 27, 2015**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, July 27, 2015 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Dan Vassar, and Konnie Kuiper were present. Councilor Steve Wagner was absent owing to an extended work commitment. Councilor Bernie Zemen was absent owing to the death of mother. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council discussed the request made by Councilor Zemen and presented by the Town Council President to delay consideration of the Plan Commission rezoning involving Webb Hyundai until the next meeting, which Councilor Zemen hopes to be able to attend. There was no objection.

The study session ended at 6:59 O'clock p.m.

Regular meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, July 27, 2015 at 7:02 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Mark A. Herak, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Mark Herak, Dan Vassar, and Konnie Kuiper were present. Councilor Steve Wagner was absent owing to an extended work commitment. Councilor Bernie Zemen was absent owing to the death of mother. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John Bach, Public Works Director; Pat Vassar, Assistant Metropolitan Chief; Kenneth Mika, Building Commissioner; William R. Timmer, Jr., CFOD, Fire Chief; Dave Byers, CPRP, Recreation Director; and Cecile Petro, Redevelopment Director were present.

Also present: Bruce Luyster and Ronnie Green of the Public Works Department (Agency); Ed Dabrowski IT Consultant (Contract); and Randy Bowman, Assistant Inspector for Electrical were also present.

Minutes of the Previous Meetings:

The minutes of the regular meeting of July 13, 2015 were approved by general consent.

The Town Council President also acknowledged the passing of Councilor Zemen's mother and expressed condolences.

Special Orders:

1. **Advisory Board of Zoning Appeals Docket:** Petition for a Use Variance for property located 8407 Parrish Place, **Highland**, to allow use of the property as a Daycare Center from the Single Family Residence in property which is currently zoned as R-1 Single Family Residential District. Petitioner: **Cherri Moore (Owner), 8407 Parrish Place, Highland**. The Advisory Board of Zoning Appeals by a vote of four (4) in favor and zero (0) opposed acted to send an **unfavorable recommendation regarding the petitioner's use variance** for the property. The ABZA acted at its meeting of 27 May 2015. The findings of fact were memorialized and the board approved the facts in written form at its meeting of 22 July 2015. (90 days ends 25 August 2015).
Pursuant to IC 36-7-4-918.6, the Town Council may either accept the unfavorable recommendation and DENY the requested use variance or it may reject (over rule) the unfavorable recommendation and GRANT the use variance. If not acted upon by the Town Council within the 90 days described above, the action of the Advisory Board of Zoning Appeals stands.

Councilor Vassar moved seconded by Councilor Kuiper to accept the unfavorable recommendation and to deny the petitioner's use variance. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The use variance was denied.

2. **Plan Commission Docket No. 2015-01:** Petitioner is seeking an amendment to the zoning map involving property located at 2330 41st Street, Highland, which is a lot that is proximate to the **Webb Hyundai Dealership, 9236 Indianapolis Boulevard, Highland**. The subject property is currently zoned R-3 Multiple Family Residential District petitioner seeks rezoning to B-3 General Business District, designation. *Petitioner:* Michael Webb/Webb Hyundai, 9236 Indianapolis Boulevard, Highland, Indiana. The matter was certified by the Municipal Plan Commission with a **favorable recommendation**, by a vote of seven (7) in favor, none opposed at its meeting of June 17, 2015. The Plan Commission's findings of fact were memorialized from the June 17 hearing and were officially adopted at its meeting of July 15, 2015.
Pursuant to IC 36-7-4-608(f), having received a favorable recommendation, the Town Council may either approve the recommendation and adopt the ordinance or reject the recommendation, and defeat the ordinance. If no action occurs within 90 days, the recommendation of the Plan Commission is adopted. 90 days tolls on September 15, 2015.

As discussed during the study session, the Town Council did not take up this matter by general consent. It would be set for the next scheduled plenary business meeting of the Town Council, Monday, August 10, 2015.

Appointments:

• Statutory Boards and Commissions

Executive Appointments (May be made in meeting or at another time)

(Appointments have been placed on agenda in case there is readiness to act)

Home Rule Commissions

1. **Community Events Commission:** (2) appointments to be made by the Town Council President. **Term: 4 years.** *(Note: currently one vacancy with term expiring on Jan 1 2018; and one vacancy term whose expiring 2019 that have not been filled)*

The Town Council President, as municipal executive then announced his appointments of **John Breslin**, 8539 Henry Street, Highland, for a term ending 1 January 2018 and **Liz Breslin**, 8539 Henry Street, Highland, for a term ending January 1, 2019 to the Community Events Commission.

Unfinished Business and General Orders:

1. **Works Board Order No. 2015-19:** An Order of the Works Board Authorizing and Approving Midwestern Electric, Incorporated to Provide all Materials and Labor to complete the Installation of LED Pedestrian Countdown Signal Inserts at Several Signalized Intersections in the Town of Highland, in the amount of \$19,120.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2015-19. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The works board order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2015-19**

An Order of the Works Board Authorizing and Approving Midwestern Electric, Incorporated to Provide all Materials and Labor to complete the Installation of LED Pedestrian Countdown Signal Inserts at Several Signalized Intersections in the Town of Highland

Whereas, The Town of Highland, Department of Public Works, as part of its public duties, has responsibility for the operation and maintenance of traffic signals, including crosswalks, in the Town of Highland; and

Whereas, New technology is currently available for pedestrian crosswalk signals that provide a visible countdown timer, which provides real time status of the duration of the permissive phase of the pedestrian walk signal;

Whereas, The Town Council for the Town of Highland believes that the LED Pedestrian Countdown Signal is less confusing to the pedestrian and will provide a safer street crossing for the pedestrian; and

Whereas, The Public Works Director has recommended the installation of Pedestrian Countdown Signals at the following locations:

1. Kennedy Avenue and LaPorte Street
2. Kennedy Avenue and Duluth Street
3. Kennedy Avenue and Grand Boulevard
4. Kennedy Avenue and Highway Avenue
5. Kennedy Avenue and Lincoln Street
6. Kennedy Avenue and 41st Street
7. Kennedy Avenue and Hart Road;

and

Whereas, Midwestern Electric, Incorporated has provided a proposal to perform the work, attached hereto, at a total cost of \$19,120.00; and

Whereas, The Public Works Director, pursuant to §3.05.030(D)(1) of the HMC, serves as the Purchasing Agent for the Public Works Department; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §3.05.030(A)(1) of the HMC serves as purchasing agency for the Public Works Department; and

Whereas, The purchase price exceeds \$15,000.00 and, pursuant to §3.05.050(B) of the HMC requires the express approval of the purchasing agency; and

Whereas, The purchase will be supported by the Municipal Cumulative Capital Fund and there is sufficient appropriation in order to support the work; and

Whereas, The Town Council as the Works Board now desires to authorize the Public Works Director to complete the work pursuant to the terms stated herein,

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board as follows:

Section 1. That the proposal for **Midwestern Electric, Incorporated**, attached hereto and made a part of this Order, for the installation of light emitting diode (LED) Pedestrian Countdown Signals at several intersections, is approved pursuant to the terms contained therein;

Section 2. That the Board of Works for the Town of Highland believes that Midwestern Electric, Incorporated has demonstrated professional competence and qualifications to perform the particular professional services called for in the proposal and associated project;

Section 3. That the Public Works Director is hereby authorized to issue a purchase order to Midwestern Electric, Incorporated and to execute all documents necessary to implement the work;

Section 4. That the Municipal Fiscal Officer is hereby authorized to expend resources from the *County Economic Development Income Tax Fund* in order to support and implement the work, provided the Town Council President has made the necessary changes to the *Capital Improvement Plan*.

Be it so ordered.

Duly, Passed and Adopted by the Town Council acting as the Works Board of the Town of Highland, Lake County, Indiana this 27th day of July 2015 having passed by a vote of 3 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/Mark A. Herak, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. **Works Board Order No. 2015-20:** An Order Finding and Determining Certain Personal Property of the Municipality as No longer Needed for the Purposes for which Originally acquired and Further Authorizing and Approving Disposal or Transfer of said property, specifically unclaimed or confiscated bicycles.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2015-20. Councilor Vassar seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The works board order was adopted.

**THE TOWN of HIGHLAND
BOARD of WORKS ORDER NO. 2015-20**

AN ORDER FINDING and DETERMINING CERTAIN PERSONAL PROPERTY of the MUNICIPALITY as NO LONGER NEEDED for the PURPOSES for WHICH ORIGINALLY ACQUIRED and FURTHER AUTHORIZING and APPROVING DISPOSAL OR TRANSFER of said PROPERTY

WHEREAS, The Town Council for the Town of Highland is the Works Board of the Municipality pursuant to IC 36-1-2-24(3) and

WHEREAS, The Town Council has been advised by the Metropolitan Police Department that several items of personal property all owned by the municipality are no longer needed for the purposes for which it was originally acquired, pursuant to IC 5-22-22; and

WHEREAS, The Metropolitan Police Chief has recommended that disposal of the personal property be authorized, all pursuant to the provisions of IC 5-22-22 et seq.;

WHEREAS, The Metropolitan Police Chief has further recommended that disposal of the personal property be executed by using an internet site, all pursuant to the provisions of IC 5-22-22-4.5; and

WHEREAS The Town Council now desires to favor the recommendation and take those steps necessary to authorize and approve a disposal of personal property of the municipality pursuant to the applicable law,

NOW, THEREFORE, BE IT ORDERED by the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. That the Town Council of the Town of Highland acting as the works board, hereby finds and determines the following:

(A) That there are certain articles of personal property that has been left in the custody of an officer or employee of the municipality for more than one year, pursuant to IC 5-22-22-3(1);

(B) That they these items of personal property are more particularly described in an exhibit attached to and incorporated in this works board order;

(C) That the value of any single item of personal property is less than one thousand dollars (\$1,000), and that all the items of personal property together are less than \$5,000, all pursuant to IC 5-22-22;

Section 2. That the Metropolitan Police Chief is hereby authorized and instructed to cause a lawful disposal or transfer of the personal property identified in this Works Board Order by lawful method, with or without advertising, pursuant to IC 5-22-22-6, all pursuant to the provisions of IC 5-22-22 et seq.;

Section 3. That if the proper officer so desires to employ internet sale, the proper officer is hereby authorized and instructed to cause a lawful disposal or transfer of the personal property identified in this Works Board Order by internet sale pursuant to IC 5-22-22-4.5 including the following:

(A) **The internet site used is approved by the office of technology established by IC 4-13.1-2-1; and**

(B) **The internet site used is linked to the electronic gateway administered under IC 4-13.1-2-2(a)(5) by the office of technology; and**

(C) **There be included a detailed description of the surplus property to be sold;**

Section 4. That any and all proceeds yielded from the lawful disposal or transfer authorized by this order shall be deposited with the Office of the Clerk-Treasurer, where such proceeds shall be deposited to the credit of the proper fund.

BE IT SO ORDERED.

DULY ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Board of Works, this 27th day of July 2015 having passed by a vote of 3 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
 HIGHLAND, INDIANA

Mark A. Herak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
 Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

Description of Item	Estimated Value of Item	Direction for Deposit of Proceeds			
		Police Pension Fund	Corporation General Fund	Federal Forfeiture and Seized Assets Fund	Local Forfeiture and Seized Assets Fund
INDIVIDUAL					
1 VERTICAL Reference: 09HI09235		X			
2 FUJI Reference: 09HI05141		X			
3 POWER LITE Reference: 09HI03726		X			
4 SCHWINN Reference: 09HI05141		X			
5 HUFFY Reference: 09HI11096		X			

6	FREE SPIRIT Reference: 10HI06807		X		
7	SCHWINN Reference: 09HI08628		X		
8	DIAMOND BACK Reference: 10HI08732		X		
9	GT Reference: 09HI04466		X		
10	GT Reference: 09HI04466		X		
LOT # 1					
1	HUFFY Reference: 09HI10315		X		
2	NEXT Reference: 09HI08484		X		
3	MGX Reference: 10HI06949		X		
4	ROADMASTER Reference: 09HI06756		X		
5	HUFFY Reference: 09HI08908		X		
LOT # 2					
1	MONGOOSE Reference: 09HI08287		X		
2	MONGOOSE Reference: 10HI05965		X		
3	MONGOOSE Reference: 11HI02122		X		
4	MONGOOSE Reference: 09HI08487		X		
5	MONGOOSE Reference: 09HI04757		X		
6	MONGOOSE Reference: 09HI02671		X		

	LOT # 3				
1	MAGNA Reference: 10HI07401	X			
2	MONGOOSE Reference: 11HI02783	X			
3	NEXT Reference: 09HI10393	X			
4	SCHWINN NO TAG	X			
5	SCHWINN Reference: 09HI06109	X			
	LOT # 4				
1	HUFFY Reference: 09HI06680	X			
2	ROADMASTER Reference: 09HI00882	X			
3	SCHWINN Reference: 09HI05515	X			
4	ROADMASTER Reference: 09HI05204	X			
5	HUFFY Reference: 09HI11592	X			
6	SCHWINN Reference: 10HI07855	X			
	LOT # 5				
1	RED/WHITE/BLUE Reference: 11HI03994	X			
2	PACIFIC Reference: 10HI07214	X			
3	MONGOOSE Reference: 10HI06333	X			
4	KENT Reference: 11HI02122	X			
5	MONGOOSE Reference: 10HI07796	X			
6	SCHWINN Reference: 11HI04348	X			

	LOT # 6				
1	SCHWINN Reference: 09HI03879	X			
2	SCHWINN Reference: 09HI01839	X			
3	HUFFY Reference: 09HI04347	X			
4	PACIFIC Reference: 10HI04314	X			
5	HUFFY Reference: 10HI09101	X			
6	HUFFY Reference: 11HI00752	X			
		X			
	LOT # 7				
1	PACIFIC Reference: 10HI09809	X			
2	NEXT Reference: 11HI02341	X			
3	HUFFY Reference: 10HI02806	X			
4	ROADMASTER Reference: 11HI104273	X			
5	COLUMBIA Reference: 09HI09900	X			
6	MAGNA Reference: 09HI09867	X			
7	MAGNA Reference: 09HI04342	X			
	LOT # 8				
1	SCOTTER Reference: 09HI06677	X			
2	2 TIRES NONE	X			
3	FRAME ONLY Reference: 10HI06358	X			
4	FRAME ONLY Reference: 09HI08092	X			

3. **Works Board Order No. 2015-21:** An Order Approving and Authorizing the Entry into Service Agreement with COMCAST for Certain Telecommunications Internet and Television Services Plus Installation Services for the Highland Police Station, pursuant to Chapter 3.05 of the Highland Municipal Code.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2015-21. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The works board order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2015-21**

AN ORDER APPROVING AND AUTHORIZING THE ENTRY INTO SERVICE AGREEMENT WITH COMCAST FOR CERTAIN TELECOMMUNICATIONS INTERNET AND TELEVISION SERVICES PLUS INSTALLATION SERVICES FOR THE HIGHLAND POLICE STATION, PURSUANT TO CHAPTER 3.05 OF THE HIGHLAND MUNICIPAL CODE.

Whereas, The IT Director (Contract), CBL Consulting, Inc., has recommended certain services for the Highland Police Department Facility, currently under construction and located at 3315 Highway Avenue, for data and audio-visual transmission over internet plus line installation; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A) and (B) of the Municipal Code serves as purchasing agency for the executive departments of the municipality, and the utilities when costs are to be shared; and

Whereas, The amount does not exceed fifteen thousand (\$15,000) in the single year but at a term of thirty-six months, represents an agreement for a term of greater than one year, pursuant to Section 3.05.040 (C) of the Municipal Code, requires the express approval of the purchasing agency; and

Whereas, The Highland Municipal Code Section 3.05.090 provides that the purchase of services may in a manner that the purchasing agency determines to be reasonable and appropriate; and

Whereas, The payments will be supported by an appropriation in the Information and Communications Technology Fund; and

Whereas, The Town Council now desires to approve and authorize the proper officer to enter a service agreement pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality as follows:

Section 1. That the COMCAST Business Service Order Agreement ID # 9172421 for data and business television services over internet, a copy of which is attached as **an exhibit** and made a part of this order, for services to be provided at the Police Station located at 3315 Highway Avenue, for a single installation fee of **\$1,500**, and further consideration to be for fees in the monthly amount of \$317.80, for a term of 36 months, for a total amount over the term of the agreement of **\$11,440.80** is hereby authorized and approved in all respects;

Section 2. That the purchasing agency believes the fees and charges incurred under these agreements are reasonable and appropriate, and the term of thirty-six months to be acceptable;

Section 3. That the Town Council President is authorized and directed to execute the agreement and any additional documents by his signature.

Be it So Ordered.

DULY, PASSED, ADOPTED and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Board of Works, this 27th day of July 2015 having passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/Mark A. Herak, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

Agreement on file.

4. **Resolution No. 2015-34:** A Resolution Approving an Interlocal Cooperation Agreement between the Incorporated Town of Highland and the School Town of Highland for the Utilization of School Resource Officer Program Services.

Councilor Vassar moved the passage and adoption of Resolution No. 2015-34. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN OF HIGHLAND
TOWN COUNCIL RESOLUTION No. 2015-34

A Resolution Approving an Interlocal Cooperation Agreement between the Incorporated Town of Highland and the School Town of Highland for the Utilization of School Resource Officer Program Services

WHEREAS, Indiana Code 36-1-7-1, et seq., allows local government entities to make the most efficient use of the powers by enabling them to mutually utilize services for the mutual benefit of each other; and

WHEREAS, The Incorporated Town of Highland and the School Town of Highland, Lake County, Indiana are municipal corporations empowered by the aforesaid Interlocal Cooperation Act, as amended, with authority to contract with each other on a basis of mutual advantage so as to better provide public services and facilities at a shared cost; and

WHEREAS, The Incorporated Town of Highland and the School Town of Highland desire to enter into a joint agreement pursuant to IC 36-1-7-1, et seq., to provide for the ability and flexibility to obtain for the Highland Students certain gang resistance training, a heightened law enforcement presence in the local public schools as well as other related services for the mutual benefit of the participating entities, and at a shared cost;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Highland, Lake County as follows:

Section 1. A joint agreement, a copy of which is attached and incorporated herein by reference, among and between the Incorporated Town of Highland and the School Town of Highland entered into by the Town of Highland by and through its Town Council, this 27th Day of July 2015 is hereby authorized and approved in each and every respect.

Section 2. The purpose of this agreement is to authorize and allow the Town Council of the Town of Highland and the School Board of Trustees to act as a joint board of the two participating entities to mutually support and utilize certain specified services associated with the School Resource Officer Program for the mutual benefit of the participating entities at shared costs.

Section 3. The Clerk-Treasurer of the Town of Highland is hereby authorized to execute the duties related to the payment, collection and accounting for all moneys of this joint undertaking, pursuant to the terms of this agreement, in a manner that is mutually acceptable with the duly constituted and acting fiscal officer of the School Town of Highland.

Section 4. The governing boards of the participating entities may be convened as a joint board, or may act as a joint board at separate meetings of the respective governing bodies of the participating entities in which the entities concur.

Section 5. The governing boards of the participating entities may create a committee comprised of representatives from both participating entities or may designate a single individual from each of the participating entities, which may perform such administrative ministerial duties as the joint board may direct and the agreement may provide.

Section 6. The President of the Highland Town Council and the Clerk-Treasurer are hereby authorized to execute the joint Interlocal Governmental Agreement with their signatures and any additional documents in order to implement the agreement.

Section 7. This agreement shall be effective as indicated in and pursuant to its provisions, after the agreement has been authorized and approved by each of the participating entities, evidenced by passage and adoption of a similar Resolution all pursuant to I.C. 36-1-7-2.

Section 8. That upon its approval, this agreement repeals the agreements governing the school resource officer program, the first adopted January 17, 1997 and its succeeding agreements.

Section 9. That before this agreement takes effect, it must be recorded with the Office of the Lake County Recorder. No later than sixty (60) days after it takes effect and is recorded, the agreement must be filed with the Office of the State Board of Accounts for audit purposes, all pursuant to I.C. 36-1-7-6.

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 27th day of July 2015. Having been passed by a vote of 3 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/Mark A. Herak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. **Resolution No. 2015-35:** A Resolution Articulating The "Sense Of The Town Council" Affirming The Designation Of A Corridor Crossing Indiana As United States Bike Route 36.

Councilor Kuiper moved the passage and adoption of Resolution No. 2015-35. Councilor Vassar seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The resolution was adopted.

HIGHLAND TOWN COUNCIL
Resolution No 2015-35

A RESOLUTION ARTICULATING THE "SENSE OF THE TOWN COUNCIL" AFFIRMING THE DESIGNATION of a CORRIDOR CROSSING INDIANA AS UNITED STATES BIKE ROUTE 36

WHEREAS, The Highland Town Council, as the fiscal and legislative body of the Town of Highland, from time to time, encounters issues of public import and moment which invite an expression from the elected representatives as part of the public discourse on the matter;

WHEREAS, Article 1, Section 31 of the Indiana Constitution provides that no law shall restrain any of the inhabitants of the State from assembling together in a peaceable manner, to consult for their common good, nor from instructing their representatives, nor from applying to the General Assembly for redress of grievances; and

WHEREAS, The Town of Highland, through its Parks and Recreation Department, initiated one of the first developed bicycle paths in the area, which continues to be a popular asset Highland residents;

WHEREAS, The Town of Highland by and through its Town Council, seeks to encourage bicycling and hiking in, across, and/or through the local community and seeks connections to benefit by the \$47 billion dollar industry of touring by non-motor means of transport, sometimes referred to as the growing bicycle tourism industry;

WHEREAS, The Town Council did pass and adopt a similar Sense of the Council Resolution, styled as *Resolution No. 2015-45*, on October 14, 2014, which expressed support for a efforts of the Hoosier Rails to Trails Council, generally to promote a United States Bicycle Route System through Indiana and to align it with the Hoosier Hiking and Biking Corridor;

WHEREAS, The American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor crossing [section of state] to be developed as United States Bike Route 36 (USBR 36), and

WHEREAS, The Northwestern Indiana Regional Planning Commission (NIRPC), and the Adventure Cycling Association, with the cooperation of the Indiana Department of Transportation and other stakeholders, have proposed a specific route to be designated as USBR 36, a map of which is herein incorporated into this resolution by reference, and

WHEREAS, The proposed route for USBR 36 comes through The Town of Highland, Lake County, Indiana and can therefore provide a benefit to Highland and area residents and businesses, and

WHEREAS, We have investigated the proposed route and found it to be a suitable route, and desire that the route be designated so that it can be mapped and signed, thereby promoting bicycle tourism in our area;

WHEREAS The Town of Highland by and through its elected officers wishes to offer a distinct, public expression related to the public import of this matter,

BE IT HEREBY RESOLVED, That it the sense of the Town Council as follows:

Section 1. That it is the sense of the Town Council that the Town of Highland, Indiana hereby approves and supports the development of USBR 36;

Section 2. That it is the sense of the Town Council that the Town of Highland, Indiana does hereby request that the appropriate officials see to it that the route is officially designated by AASHTO as soon as this can be achieved;

Section 3. That it the sense of the Town Council that in order to further advance this project, the concept of erecting signs within the community and its rights of way, identifying the particular route or routes be authorized and affirmed, to the extent it is not proscribed by IC 9-21-1-4;

Section 4. That the Clerk-Treasurer be hereby further instructed to transmit and forward this resolution to such persons as may be deemed to have an interest in this matter and to encourage those persons to evidence their strong desire to see the objects and purposes of this "Sense of the Council Resolution" achieved.

DULY RESOLVED and ADOPTED this 27th Day of July 2015 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Mark A. Herak, **President** (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

6. Action to approve Letters of Commendation for exemplary public service leading to the award of a single paid day off for 3 workers in the public works department (agency), particularly **Ronnie Green** as May 2015 Employee of the Month, **Bruce Luyster**, as June 2015 Employee of the Month and **Jeff Siple** as July 2015 Employee of the Month. Pursuant to Section 4.13 of the Compensation and Benefits Ordinance, for the day off to be effective requires the approval of the board of jurisdiction and the Town Council. In this case, as the Town Council is also works board for the municipality, its approval alone is all that is required.

Councilor Kuiper moved to approve the letters of commendation for the workers named above. Councilor Vassar seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The workers' letters of commendation were approved allowing a paid day off for each.

Comments or Remarks from the Town Council:

(For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • Liaison to the Board of Waterworks Directors; Liaison to the Park and Recreation Board; Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Zemen was absent.

- **Councilor Dan Vassar:** *•Redevelopment Commission Liaison.*

Councilor Vassar expressed sympathies to Councilor Bernie Zemen and his family on the passing of his mother.

Councilor Vassar acknowledged the Redevelopment Director who reported that Requests for Proposals for Architectural services were being readied for the Town Theater project.

Councilor Vassar also congratulated Ron Green and Bruce Luyster.

- **Councilor Steve Wagner:** • *Advisory Board of Zoning Appeals Liaison; Information Technology Liaison.*

Councilor Wagner was absent.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper also congratulated Ron Green and Bruce Luyster.

Councilor Kuiper shared a brief story regarding his granddaughter being rescued from an old desk in which had become momentarily stuck.

- **Council President Mark Herak:** *Municipal Executive • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Council President Herak expressed congratulations to Bruce Luyster, Ron Green and Jeff Siple on their recognitions.

Council President Herak again expressed condolences to the family of Councilor Bernie Zemen on the passing of his mother.

The Town Council President acknowledged the Assistant Police Chief who reported that applications for probationary patrol officer were being received until August 20, 2015.

The Town Council President acknowledged the Recreation Director, who offered a survey of recreation programs and events including the publication of the Fall/Winter Program Catalogue to be August 19.

The Town Council President acknowledged the Public Works Director, who offered a survey of projects underway by the Streets, Water and Public Sanitation Departments.

Comments from Visitors or Residents:

1. Ms. Carol Kerr, 2185 Timber Ridge, Highland, reported that in her neighborhood some children were moving a portable basketball hoop into the street and playing basketball. Ms. Kerr asked whether there was an ordinance prohibiting the conduct and if so, if there could be an enforcement action.

It was noted that an amendment to the code was proposed several councils ago but no action was ever taken on it. The Town Council President referred the matter to the Traffic Safety Commission.

2. Vern Sieb, 3024 Lakeside Drive, Highland, Indiana, inquired whether any further action had been taken regarding the Prairie Square matter. It was noted that materials were to be delivered to alternative counsel for review. There was nothing further to report.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Vassar moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period July 15, 2015 through July 27, 2015. Councilor Kuiper seconded. Upon a roll call vote, there were

four affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$19,996.86; Motor Vehicle Highway and Street (MVH) Fund, \$28,680.91; Local Road and Street Fund, \$156.25; Law Enforcement Training and Supply Fund, \$706.81; Information Communications Technology Fund, \$5,533.50; Special Events Non-reverting Fund, \$23,859.16; Traffic Violations and Law Enforcement Agency Fund, \$6,097.50; Corporation Capital Fund, \$185,641.32; Public Safety Income Tax Fund, \$117,359.29; Total: \$388,031.60

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Vassar seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, July 27, 2015 was adjourned at 7:36 O'clock p.m. No study session followed the plenary meeting.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer